

(ORDER LIST: 530 U. S.)

THURSDAY, JUNE 29, 2000

CERTIORARI -- SUMMARY DISPOSITION

98-1658) HELMS, MARY L., ET AL. V. PICARD, SUPT., LA PUB. ED.
)
98-1671) PICARD, CECIL J., ET AL. V. HELMS, MARY L., ET AL.

The Court reversed the judgment below in *Mitchell v. Helms*, 530 U.S. ____ (2000). Therefore, the petitions for writs of certiorari are granted and the cases are remanded to the United States Court of Appeals for the Fifth Circuit for further proceedings.

99-1152 HOPE CLINIC, ET AL. V. RYAN, IL ATTY. GEN., ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Stenberg v. Carhart*, 530 U.S. ____ (2000).

99-1156) PLANNED PARENTHOOD OF WI V. DOYLE, WI ATTY. GEN., ET AL.
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99-1177) CHRISTENSEN, DENNIS D. V. DOYLE, WI ATTY. GEN., ET AL.

The petitions for writs of certiorari are granted. The judgment is vacated and the cases are remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Stenberg v. Carhart*, 530 U.S. ____ (2000).

99-7890 GREEN, LEROY V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fourth Circuit for further consideration in light of *Dickerson v. United States*, 530 U.S. ____ (2000).

99-8176 JONES, CARLESS V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Tenth Circuit for further consideration in light of *Apprendi v. New Jersey*, 530 U.S. ____ (2000).

ORDERS IN PENDING CASES

99M95 FARLEY, DAVID WILLIAM V. TEXAS

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time under Rule 14.5 is denied.

99M96 VIRAMONTES, JOEL F. V. GALAZA, WARDEN

99M97 GARDNER, BRUCE, ET UX. V. UNITED STATES

The motions to direct the Clerk to file petitions for writs of certiorari out-of-time are denied.

126, ORIG. KANSAS V. NEBRASKA, ET AL.

The motion of Nebraska to dismiss is denied, and the case is recommitted to the Special Master for further proceedings.

130, ORIG. NEW HAMPSHIRE V. MAINE

The motion for leave to file a bill of complaint is granted, and defendant is allowed 60 days within which to file a motion to dismiss on *res judicata* grounds. Plaintiff is allowed 45 days to file a response to the motion. The Solicitor General is invited to file a brief expressing the views of the United States. Justice Souter took no part in the consideration or decision of this order.

99-936 FERGUSON, CRYSTAL M , ET AL. V. CHARLESTON, SC, ET AL.

The motion of American Civil Liberties Union, et al., for leave to file a brief as *amici curiae* is granted. The motion of National Coalition for Child Protection Reform, et al., for leave to file a brief as *amici curiae* is granted. The motion of NARAL Foundation, et al., for leave to file a brief as *amici curiae* is granted. The motion of American Public Health Association, et al., for leave to file a brief as *amici curiae* is granted. The motion of American Medical Association for leave to file a brief as *amicus curiae* is granted.

99- 8898 NAGY, PAUL V. UNITED STATES

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

99- 9576 VIELE, DAWN, ET VIR V. FORD MOTOR CO.

The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until July 20, 2000, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

CERTIORARI GRANTED

98- 1768 BUCKMAN COMPANY V. PLAINTIFFS' LEGAL COMMITTEE

The motion of Medical Device Manufacturers Association for leave to file a brief as *amicus curiae* is granted. The motion of Danek Medical, Inc., for leave to file a brief as *amicus curiae* is granted. The motion of Product Liability Advisory Council, Inc., for leave to file a brief as *amicus curiae* is granted. The motion of Pharmaceutical Research and Manufacturers of America for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted limited to the following question: Whether federal law preempts state-law tort claims alleging fraud on the Food and Drug Administration during the regulatory process for marketing clearance applicable to certain medical devices.

CERTIORARI DENIED

- 99- 1112 MILLER, ATTY. GEN. OF IOWA V. PLANNED PARENTHOOD, ET AL.
- 99- 1307 HOTTE, CLIFFORD V. UNITED STATES
- 99- 1416 BROWN, DALE A. , ET AL. V. UNITED STATES, ET AL.
- 99- 1462 FORT WORTH, TX V. DEPT. OF TRANSP. , ET AL.
- 99- 1517 UNIVERSAL MANAGEMENT, ET AL. V. UNITED STATES
- 99- 1552 FOSTER, GOV. OF LA, ET AL. vs. O'NEILL, PHILLIP, ET AL.
- 99- 1577 GREENBRIER, ET AL. V. UNITED STATES
- 99- 1580 JARAMILLO, LETICIA, ET AL. vs. FCC
- 99- 1596 CARNIVAL CRUISE LINES, INC. V. UNITED STATES
- 99- 1600 PRINCESS CRUISES, INC. V. UNITED STATES
- 99- 1641 U S WEST COMMUNICATIONS, INC. vs. MFS INTELENET, INC. , ET AL.
- 99- 1674 VANDEL, MARTIN V. STANDARD MOTOR PRODUCTS
- 99- 1698 UNITED AIRLINES, ET AL. V. DENVER, CO
- 99- 1718 JAMES, LESVILLE, ETC. , ET AL. V. ZURICH-AMERICAN INS. CO.
- 99- 1727 GATES, TERESA A. V. FORREST GEN. HOSP. , ET AL.
- 99- 1729 UNIVERSE SALES CO. V. OFFSHORE SPORTSWEAR, ET AL.
- 99- 1738 CHILDREN' S SEASHORE HOUSE V. GUHL, MICHELE, ETC. , ET AL.
- 99- 1741 SUNOCO, INC. , ET AL. V. SEYMOUR, STEVEN, ET UX.
- 99- 1748 WILEY, WILLIAM L. V. MISSISSIPPI
- 99- 1751 OCEANSIDE-MISSION ASSOCS. V. OCEANSIDE, CA
- 99- 1758 DE RIVER PORT AUTH. V. FRATERNAL ORDER OF POLICE
- 99- 1762 VA ELEC. & LIGHTING CORP. V. NAT' L SERV. INDUSTRIES, INC.
- 99- 1763 GULF INS. CO. V. SIEGFRIED CONSTR. , INC.
- 99- 1769 STRAIN, RODNEY JACK, ETC. V. CLIFFORD, DAVID, ETC.
- 99- 1770 SIMPSON, LARRY D. V. GALANOS, CHRIS, ET AL.
- 99- 1772 PORT AUTH. OF NY AND NJ vs. RYDUCHOWSKI, DANUTA

99- 1774 DILLARD DEPT. STORES V. BECKWITH, DELORES
 99- 1794 GERRISH, KEITH G. V. GENESEE CTY. , NY, ET AL.
 99- 1795 CIRCUIT CITY STORES, INC. V. JOHNSON, DEMEKA
 99- 1802 ALTSCHULER, HOWARD V. UNIV. OF PA LAW SCH. , ET AL.
 99- 1808 SMITH, GARY L. V. UNITED STATES
 99- 1825 PORT JEFFERSON HEALTH CARE V. WING, BRIAN, ET AL.
 99- 1839 HARRIS, EDWARD V. WEST, SEC. OF VETS AFFAIRS
 99- 1879 HARDY, JULIE, ETC. , ET AL. V. TESTA, MICHAEL, ET AL.
 99- 1886 CIRAULO, ANTONIO V. MICHIGAN
 99- 1889 VALICENTI ADVISORY SERV. vs. SEC
 99- 1898 KHAN, ZYROON V. ABERCROMBIE & FITCH, INC.
 99- 1917 COZART, FREDERICK L. V. UNITED STATES
 99- 1921 TITTJUNG, ANTON V. RENO, ATTY. GEN. , ET AL.
 99- 1926 LANZOTTI, DAVID V. UNITED STATES
 99- 1928 TARAWALY, TEJAN V. FARREY, WARDEN
 99- 1931 BEARDSLEE, FLORENCE M V. UNITED STATES
 99- 1936 RAYHANI, JAFAR POUR, ET AL. V. UNITED STATES
 99- 1941 IDEMA, JONATHAN K. V. UNITED STATES
 99- 1949 NIJMEH, KENNEDY V. UNITED STATES
 99- 1954 PERSON, MARION BROOKS V. UNITED STATES
 99- 7579 COTTON, MARCUS B. V. TEXAS
 99- 8165) HARDY, PAUL V. UNITED STATES
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 99- 8184) CAUSEY, DAMON V. UNITED STATES
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 99- 8285) DAVIS, LEN V. UNITED STATES
 99- 8463 WIGGINS, DERRICK L. V. UNITED STATES
 99- 8489 BOBILLO, BILL V. UNITED STATES
 99- 8675 OMELEBELE, NDUBISI V. vs. UNITED STATES

99- 8839 PISTONE, SALVATORE V. UNITED STATES
99- 8848 KOONS, MARC A. V. UNITED STATES
99- 8978 MARTIN, RAY V. ORANGE DISTRICT SCHOOLS
99- 9151 DAVIS, JOSEPH H. V. FLORIDA
99- 9193 RENOIR, PIERRE A. V. ANGELONE, DIR. , VA DOC
99- 9229 SARTORI, HELLFRIED E. V. VIRGINIA
99- 9260 STATON, KIM R. V. YUKINS, WARDEN
99- 9276 WILLIAMS, MICHAEL G. V. ZELLER, WARDEN, ET AL.
99- 9278 PON, WILLIAM, ET UX. V. SAN FRANCISCO, CA
99- 9283 BILLUPS, DERRICK V. PRUNTY, WARDEN, ET AL.
99- 9288 KUPLEN, JOHN E. V. FRANKLIN, RICHARD, ET AL.
99- 9289 KIRKENDALL, DONNA V. UNIV. OF CT HEALTH CENTER
99- 9301 JONES, STANLEY V. PA WORKERS' COMP. BD.
99- 9302 NAVA, AARON V. GARCIA, WARDEN, ET AL.
99- 9303 LaBRANCH, GARY W. V. CALIFORNIA
99- 9305 ALLISON, EDUARDO V. BRONSON, MS.
99- 9309 STOCKENAUER, GORDON L. V. KAPTURE, WARDEN, ET AL.
99- 9310 RISLEY, BILLY R. V. SCOTT, FORMER DIR. , TX DCJ
99- 9311 JACKSON, RONALD V. NEW YORK, ET AL.
99- 9312 MERILATT, PHILIPP V. NEW MEXICO
99- 9313 WILLIAMS, WOODROW W. vs. CHOATE, SHERIFF, ET AL.
99- 9318 JACOBSEN-WAYNE, KILDEE V. KAM, CALVIN C. , ET AL.
99- 9324 SANGSTER, ANN V. YUKINS, WARDEN
99- 9338 MAFFE, BRIAN A. V. SCOTT, WARDEN, ET AL.
99- 9340 SAVIOR, OLE V. HUMPHREY, HUBERT H. , ET AL.
99- 9342 WALSH, JOHN E. V. CORCORAN, WARDEN, ET AL.
99- 9343 WARD, LeMARR A. V. TERRANGI, WARDEN

99-9344 WILLIAMS, LIONELL E. V. NEWSWEEK, INC., ET AL.
99-9352 KREPS, GENE A. V. PESINA, GREGORY J., ET AL.
99-9353 MARCELLO, JAMES V. ME DEPT. OF HUMAN SERVICES
99-9356 BAILEY, MAURICE E. V. FEDERAL BUREAU OF PRISONS
99-9360 SHOMD, KARL V. NEW YORK
99-9366 WALKER, DAMON F. V. GASPARINI, SHERIFF, ET AL.
99-9387 BARRITT, ROBERT M V. WEST VIRGINIA
99-9401 SATTERWHITE JOHN T. V. JOHNSON, DIR., TX DCJ
99-9408 WILLIAMS, WAYNE V. vs. CONROY, WARDEN
99-9411 TAYLOR, BERNARD V. LARKINS, SUPT., DALLAS
99-9413 COLON, NELSON M V. ARTUZ, SUPT., GREEN HAVEN
99-9464 JEMZURA, RAYMOND V. NY STATE DEPT. OF MOTOR VEH.
99-9468 SHABAZZ, MICHAEL A. Z. vs. NEW YORK
99-9474 TALFORD, SALLY V. SCARBERRY, KERMIT
99-9502 BOYD, DENNIS M V. DAVIS, CLERK, ETC.
99-9533 PRICE, JOSEPH W. V. RYDER SYSTEM, INC., ET AL.
99-9538 WATSON, TERESA V. SOUTHWESTERN BELL TELEPHONE
99-9571 BEADLES, JOE HAVEN V. UNITED STATES
99-9592 GONZALEZ, JACQUELINE V. WEST, SEC. OF VA, ET AL.
99-9601 VEGA, STEVE V. ADULT PROB. DEPT., COOK CTY.
99-9604 MCKEE, DONALD V. FLORIDA
99-9608 BOLTON, JACQUELINE V. UNITED STATES
99-9622 MARTINEZ, ADALBERTO V. MASSACHUSETTS
99-9631 BARBER, SCOTT M V. MICHIGAN
99-9632 CICCHINELLI, ROBERT V. PENNSYLVANIA
99-9650 SALLEY, DAVID C. V. LUEBBERS, SUPT., POTOSI
99-9651 PHILLIPS, JACK D. V. BUSH, GOV. OF FL

99- 9659 ANDREWS, GARY V. CAIN, WARDEN
99- 9667 ACKLIN, MARVIN A. V. NORRIS, DIR. , AR DOC
99- 9675 PARSONS, KENNETH D. V. RYDER, SUPT. , TOMOKA
99- 9682 PALMER, CHARLES V. UNITED STATES
99- 9687 BROCKMAN, WILLIAM T. V. SOUTH CAROLINA
99- 9692 MENDOZA-MARTINEZ, CESARIO V. UNITED STATES
99- 9696 OSWALD, JAMES H. V. WISCONSIN
99- 9709 ANDERSON, DENNIS E. V. OHIO
99- 9717 OAKLEY, JON C. V. UNITED STATES
99- 9718 OCHSNER, LARRY L. V. PRATT, WARDEN
99- 9726 SEIBEL, GLENN V. OHIO
99- 9730 GAONA-HERNANDEZ, FRANCISCO V. UNITED STATES
99- 9734 WATSON, ROBERT G. V. KONTEH, WARDEN
99- 9736 CAMPILLO-RESTREPO, IVAN V. UNITED STATES
99- 9749 WHITE, HARVEY L. V. OHIO
99- 9757 COSTA, BERNARDO O. V. MISSOURI
99- 9785 KIISTER, VICTOR S. V. UNITED STATES
99- 9787 CARMUCHE, ANTHONY V. UNITED STATES
99- 9790 LIVINGSTON, MARCIA E. V. UNITED STATES
99- 9791 JOHNSON, JERRELL L. V. UNITED STATES
99- 9796 HUDSON, CHARLES V. UNITED STATES
99- 9803 PAGAN, MIGUEL V. UNITED STATES
99- 9805 WILLIAMS, MARCUS V. UNITED STATES
99- 9816 DAVIS, DANNY V. UNITED STATES
99- 9820 HEWLETT, WILLIAM V. LAPPIN, WARDEN
99- 9828 MARZETTE, JACQUELYN V. UNITED STATES
99- 9834 BEASLEY, ROBERT I. V. UNITED STATES

- 99- 9835 COKER, NATHANIEL V. UNITED STATES
- 99- 9838 HUGHES, WILLIAM R. V. UNITED STATES
- 99- 9839 FULLER, BRIAN A. V. UNITED STATES
- 99- 9846 SHURLAND, DAVID P. V. UNITED STATES
- 99- 9859 COOPER, ADRIAN L. V. UNITED STATES
- 99- 9860 BUGH, RICHARD V. OHIO
- 99- 9861 CARTER, RASHAWN V. UNITED STATES
- 99- 9883 WOOD, JEROME L. V. UNITED STATES
- 99- 9884 WILLIAMS, ELIJAH V. UNITED STATES
- 99- 9917 BURKET, RUSSEL W. V. ANGELONE, DIR. , VA DOC

The petition for a writ of certiorari is denied.

- 99- 1584 CALIFORNIA V. JOHNSON, BRENT A.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

- 99- 1691 BOULAHANIS, CHRIS, ET AL. V. BOARD OF REGENTS, IL ST.

The motion of Dennis Hastert, Speaker of the House, et al., for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

- 99- 1739) DALLAS-FORT WORTH INTL. AIRP V. DEPT. OF TRANSP. , ET AL.
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- 99- 1745) AMERICAN AIRLINES, INC. V. DEPT. OF TRANSP. , ET AL.

The motion of Airports Council International-North America for leave to file a brief as *amicus curiae* is granted. The petitions for writs of certiorari are denied.

99-9268 ROCHON, RAYMOND V. LOUISIANA

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

99-9284 COTNER, ROBERT E. V. BOONE, WARDEN

99-9306 COTNER, ROBERT E. V. COURT OF CRIM APPEALS OF OK

99-9374 COUSINO, PAUL W. V. KIEFER, JOHN B.

99-9375 COUSINO, PAUL W. V. SUPREME COURT OF MI

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8. As petitioners have repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioners unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

HABEAS CORPUS DENIED

99-9822 IN RE SCOTT A. HEIMERMANN

99-9894 IN RE RUBEN JONES

99-9974 IN RE NOE MANCILLAS

The petitions for writs of habeas corpus are denied.

REHEARINGS DENIED

- 99- 1193 FRAZER, RAYMOND L. V. CALIFORNIA
- 99- 1475 STONIER, PAMELA, ET AL. V. DIGITAL EQUIPMENT CORP.
- 99- 1543 JOHNSON, DONALD E. V. JOHNSON, RICHARD G. , ET AL.
- 99- 7470 LOFTON, JAMES E. V. JOHNSON, DIR. , TX DCJ
- 99- 8153 FLOURNOY, RONALD V. MOSKOWITZ, JUDGE, USDC SD CA
- 99- 8210 GAINES, J. B. vs. DALLAS COUNTY, ET AL.
- 99- 8365 FIELDS, TONY M V. JACKSON, ANNETTE
- 99- 8521 WATERS, TIMOTHY E. V. HESSON, WARDEN
- 99- 8526 BITTERMAN, STEPHAN A. V. HARDING, CHIEF JUSTICE
- 99- 8590 JACKSON, ROBERT D. V. LUEBBERS, SUPT. , POTOSI
- 99- 8604 POWELL, BARRY J. V. TEXAS
- 99- 8649 DeCARO, RICHARD V. UNITED STATES
- 99- 8690 AYERS, JAMES A. V. MEMPHIS, TN, ET AL.
- 99- 8743 FLANAGAN, BRUCE V. ARNAIZ, HOWARD, ET AL.
- 99- 8806 YOUNG, LARRY A. V. SMEEKS, CORRECTIONAL OFFICER
- 99- 8926 DOUGHERTY, JAMES F. V. UNITED STATES
- 99- 8960 ATAMIAN, GABRIEL G. V. GORKIN, ROBERT A.
- 99- 9178 CONWAY, STEVEN A. V. GAMBLE, WARDEN

The petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from today,
until Monday, October 2, 2000.